

Remarks

Applicant's reply as filed on 1/18/10 was considered not fully responsive, as noted in the 03/16/2010 office action. Specifically, Applicant's 1/18/10 reply did not address prior art rejections of claims 8-12 [Tamori (EP 1172412) in view Gee (US 6,316,541)] and further rejection of claim 12 [Tamori (EP 1172412) in view Gee (US 6,316,541) in further view of Hyde (US 2,891,920)].

Applicant provides herein a further response to these rejections. Applicant request this further response be considered with the Amendment/reply as filed on 1/18/2010.

Rejections under 35 U.S.C. 103

Claims 8-12 were rejected as being unpatentable over Tamori (EP 1172412) in view Gee (US 6,316,541).

Claim 12 was also rejected as being unpatentable over Tamori (EP 1172412) in view Gee (US 6,316,541) in further view of Hyde (US 2,891,920)

Applicant respectfully submits that the claims as amended (1/18/2010) define an invention which is unobvious over Tamori (EP 1172412) in view Gee (US 6,316,541). Tamori teaches that its siloxane component and organic component form an interpenetrating network structure (see [0051] in Tamori). In contrast, the amended claims are directed to polymer alloy emulsion compositions that are substantially two-phase emulsion particles, and that no grafting monomers are present in the composition. The claims further recite there is no chemical crosslinking between the silicone and organic polymer chains in the emulsion. Thus, the combination of Tamori and Gee fail to teach or suggest all the claim limitations of amended claim 8.

Claims 9-12 depend from claim 8. Applicant relies on its arguments for patentability of claim 8 to address remaining rejections to these claims.

The present response is being submitted within the shortened statutory period for response to the outstanding Office Action. Applicant authorizes the USPTO to charge deposit account 04-1520 for any fees that should be necessary to maintain the pendency of the application.

In view of the above, it is respectfully submitted that the claims are in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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